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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,844	08/18/2003	Alfred J. Lewy	90,559-T	3196
7590	12/10/2009	McDonnell Bochne Hulbert & berghoff 32nd Floor 300 S. Wacker Drive Chicago, IL 60606	EXAMINER ROYDS, LESLIE A	
ART UNIT	PAPER NUMBER		1614	
MAIL DATE	DELIVERY MODE			
12/10/2009	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/642,844	8/18/2003	LEWY ET AL.	90,559-T

EXAMINER

Leslie A. Royds

ART UNIT	PAPER
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1614 20091205

DATE MAILED:

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Commissioner for Patents

NOTICE OF NON-RESPONSIVE AMENDMENT

The reply filed on September 16, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to reply to each ground of rejection in the Office Action. See, specifically, the rejections under obviousness-type double patenting over U.S. Patent Application No. 10/945,846 and U.S. Patent Nos. 5,591,768, 5,716,978, 6,794,407, 5,242,941, or 5,420,152. Applicant has only provided remarks directed to the rejection under 35 U.S.C. 102 and the obviousness-type double patenting rejection over U.S. Patent No. 6,683,963. Failure to address these other rejections does not comply with the requirements of 37 C.F.R. 1.111, which requires Applicant to reply to every ground of objection and/or rejection set forth in the Office Action. See 37 C.F.R. 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Extensions of this time period may be granted under 37 C.F.R. 1.136(a).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

/Leslie A. Royds/
Patent Examiner, Art Unit 1614